



Please type a plus sign (+) inside this box → ☐

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Section #
4

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/873,928 Conf. #4438

Filing Date 06/04/2001

First Named Inventor James Weifu Lee

Group Art Unit

Examiner Name

Total Number of Pages in This Submission 14

Attorney Docket Number 0899

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
☐ Fee Attached
☐ Amendment / Reply
☐ After Final
☐ Affidavits/declaration(s)
☐ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Response to Missing Parts/ Incomplete Application
☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☒ Assignment Papers (for an Application)
☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation Change of Correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☒ Other Enclosure(s) (please identify below):

Combined declaration and power of attorney
Part 2 Notice to file missing parts

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Joseph A. Marasco Reg. #32,798
UT-Battelle, LLC

Signature

Date

SEP 18 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 09/18/2001

Typed or printed name Helen Atchley

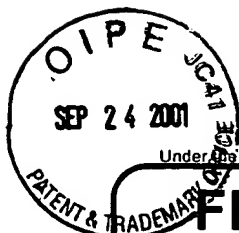
Signature

Helen Atchley

Date

9/18/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

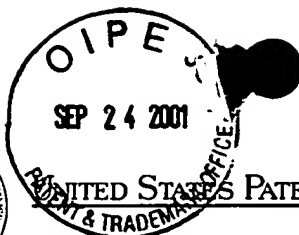
FEE TRANSMITTAL for FY 2001 <i>Patent fees are subject to annual revision.</i>		Complete if Known		
		Application Number	09/873,928 Conf. #4438	
		Filing Date	06/04/2001	
		First Named Inventor	James Weifu Lee	
		Examiner Name		
		Group Art Unit		
TOTAL AMOUNT OF PAYMENT	(\$)	170.00	Attorney Docket No.	0899

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																									
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 13-1958 Deposit Account Name: UT-Battelle, LLC <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES																																																																																																																									
2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105 130</td><td>205 65</td><td>Surcharge - late filing fee or oath</td><td>130.00</td></tr><tr><td>127 50</td><td>227 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139 130</td><td>139 130</td><td>Non-English specification</td><td></td></tr><tr><td>147 2,520</td><td>147 2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>112 920*</td><td>112 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113 1,840*</td><td>113 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115 110</td><td>215 55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116 390</td><td>216 195</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117 890</td><td>217 445</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118 1,390</td><td>218 695</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128 1,890</td><td>228 945</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119 310</td><td>219 155</td><td>Notice of Appeal</td><td></td></tr><tr><td>120 310</td><td>220 155</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121 270</td><td>221 135</td><td>Request for oral hearing</td><td></td></tr><tr><td>138 1,510</td><td>138 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140 110</td><td>240 55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141 1,240</td><td>241 620</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142 1,240</td><td>242 620</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143 440</td><td>243 220</td><td>Design issue fee</td><td></td></tr><tr><td>144 600</td><td>244 300</td><td>Plant issue fee</td><td></td></tr><tr><td>122 130</td><td>122 130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123 50</td><td>123 50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>126 180</td><td>126 180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581 40</td><td>581 40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr><tr><td>146 710</td><td>246 355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149 710</td><td>249 355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>179 710</td><td>279 355</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169 900</td><td>169 900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="2">Other fee (specify) _____</td><td colspan="2">SUBTOTAL (3) (\$)</td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130	205 65	Surcharge - late filing fee or oath	130.00	127 50	227 25	Surcharge - late provisional filing fee or cover sheet		139 130	139 130	Non-English specification		147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination		112 920*	112 920*	Requesting publication of SIR prior to Examiner action		113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		115 110	215 55	Extension for reply within first month		116 390	216 195	Extension for reply within second month		117 890	217 445	Extension for reply within third month		118 1,390	218 695	Extension for reply within fourth month		128 1,890	228 945	Extension for reply within fifth month		119 310	219 155	Notice of Appeal		120 310	220 155	Filing a brief in support of an appeal		121 270	221 135	Request for oral hearing		138 1,510	138 1,510	Petition to institute a public use proceeding		140 110	240 55	Petition to revive - unavoidable		141 1,240	241 620	Petition to revive - unintentional		142 1,240	242 620	Utility issue fee (or reissue)		143 440	243 220	Design issue fee		144 600	244 300	Plant issue fee		122 130	122 130	Petitions to the Commissioner		123 50	123 50	Processing fee under 37 CFR 1.17(q)		126 180	126 180	Submission of Information Disclosure Stmt		581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00	146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))		149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))		179 710	279 355	Request for Continued Examination (RCE)		169 900	169 900	Request for expedited examination of a design application		Other fee (specify) _____		SUBTOTAL (3) (\$)	
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																								
105 130	205 65	Surcharge - late filing fee or oath	130.00																																																																																																																								
127 50	227 25	Surcharge - late provisional filing fee or cover sheet																																																																																																																									
139 130	139 130	Non-English specification																																																																																																																									
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																									
112 920*	112 920*	Requesting publication of SIR prior to Examiner action																																																																																																																									
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action																																																																																																																									
115 110	215 55	Extension for reply within first month																																																																																																																									
116 390	216 195	Extension for reply within second month																																																																																																																									
117 890	217 445	Extension for reply within third month																																																																																																																									
118 1,390	218 695	Extension for reply within fourth month																																																																																																																									
128 1,890	228 945	Extension for reply within fifth month																																																																																																																									
119 310	219 155	Notice of Appeal																																																																																																																									
120 310	220 155	Filing a brief in support of an appeal																																																																																																																									
121 270	221 135	Request for oral hearing																																																																																																																									
138 1,510	138 1,510	Petition to institute a public use proceeding																																																																																																																									
140 110	240 55	Petition to revive - unavoidable																																																																																																																									
141 1,240	241 620	Petition to revive - unintentional																																																																																																																									
142 1,240	242 620	Utility issue fee (or reissue)																																																																																																																									
143 440	243 220	Design issue fee																																																																																																																									
144 600	244 300	Plant issue fee																																																																																																																									
122 130	122 130	Petitions to the Commissioner																																																																																																																									
123 50	123 50	Processing fee under 37 CFR 1.17(q)																																																																																																																									
126 180	126 180	Submission of Information Disclosure Stmt																																																																																																																									
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00																																																																																																																								
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																									
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																									
179 710	279 355	Request for Continued Examination (RCE)																																																																																																																									
169 900	169 900	Request for expedited examination of a design application																																																																																																																									
Other fee (specify) _____		SUBTOTAL (3) (\$)																																																																																																																									
FEE CALCULATION		SUBTOTAL (3) (\$)																																																																																																																									
1. BASIC FILING FEE		SUBTOTAL (3) (\$)																																																																																																																									
<table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101 710</td><td>201 355</td><td>Utility filing fee</td><td></td></tr><tr><td>106 320</td><td>206 160</td><td>Design filing fee</td><td></td></tr><tr><td>107 490</td><td>207 245</td><td>Plant filing fee</td><td></td></tr><tr><td>108 710</td><td>208 355</td><td>Reissue filing fee</td><td></td></tr><tr><td>114 150</td><td>214 75</td><td>Provisional filing fee</td><td></td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	101 710	201 355	Utility filing fee		106 320	206 160	Design filing fee		107 490	207 245	Plant filing fee		108 710	208 355	Reissue filing fee		114 150	214 75	Provisional filing fee		SUBTOTAL (3) (\$)																																																																																																	
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																								
101 710	201 355	Utility filing fee																																																																																																																									
106 320	206 160	Design filing fee																																																																																																																									
107 490	207 245	Plant filing fee																																																																																																																									
108 710	208 355	Reissue filing fee																																																																																																																									
114 150	214 75	Provisional filing fee																																																																																																																									
2. EXTRA CLAIM FEES		SUBTOTAL (3) (\$)																																																																																																																									
<table border="1"><thead><tr><th>Large Entity Fee Code (\$)</th><th>Small Entity Fee Code (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>103 18</td><td>203 9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>102 80</td><td>202 40</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>104 270</td><td>204 135</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>109 80</td><td>209 40</td><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>110 18</td><td>210 9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr></tbody></table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	103 18	203 9	Claims in excess of 20		102 80	202 40	Independent claims in excess of 3		104 270	204 135	Multiple dependent claim, if not paid		109 80	209 40	** Reissue independent claims over original patent		110 18	210 9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (3) (\$)																																																																																																	
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																								
103 18	203 9	Claims in excess of 20																																																																																																																									
102 80	202 40	Independent claims in excess of 3																																																																																																																									
104 270	204 135	Multiple dependent claim, if not paid																																																																																																																									
109 80	209 40	** Reissue independent claims over original patent																																																																																																																									
110 18	210 9	** Reissue claims in excess of 20 and over original patent																																																																																																																									
SUBTOTAL (1) (\$)		SUBTOTAL (3) (\$)																																																																																																																									
SUBTOTAL (2) (\$)		SUBTOTAL (3) (\$)																																																																																																																									
*or number previously paid, if greater; For Reissues, see above		SUBTOTAL (3) (\$)																																																																																																																									
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)																																																																																																																									

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Joseph A. Marasco	Registration No. (Attorney/Agent)	32,798
Signature		Telephone	865.574.4178
		Date	SEP 18 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/873,928	06/04/2001	James Weifu Lee	0899

CONFIRMATION NO. 4438

24298
UT-Battelle, LLC
111 Union Valley Rd.
PO Box 2008, Mail Stop 6498
Oak Ridge, TN 37831

FORMALITIES LETTER



OC00000006407185

Date Mailed: 08/10/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION


FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/25/2001 SMINASS1 00000064 131958 09873928

01 FC:105 130.00 CH